

Flexible Work Options Pilot Program Policies Governing Available Options

The following are the pilot program policies governing various flexible work options when an employee's work schedule is other than the Laboratory's standard work week (i.e., five of seven consecutive days at eight hours each).

A. General

1. Authority: Division/OPS department management has the sole authority to decide if work unit(s) will participate in Flexible Work Options Pilot. Management will determine effort needed to meet operational needs of the work unit including core days/times at which employees must be present and level of staffing.
2. Approval: All work schedules and schedule changes must be approved in advance by authority noted in specific option.
3. Eligibility: Only non-represented exempt and non-represented non-exempt employees who have passed probation and shown a high level of responsibility and good performance (as noted on the performance review) may participate in the pilot program. Additional eligibility rules may apply to specific options as noted below.
4. Overtime: Non-exempt employees working a flexible schedule that includes more than eight hours in a day are not eligible for overtime on those days. They are eligible for overtime for more than 40 hours of work per work week. Hours considered for establishing overtime will be those currently listed in RPM 3.03 C (*Reporting of Overtime*).
5. Under no circumstances may a scheduled work day be more than 12 hours long.
6. Flexible schedules may be suspended by division or department management in order to meet operational needs. Management is expected to give as much notice as possible before suspending flexible schedules. Employees must be willing to change their schedules at those times. Flexible schedules will be suspended annually during the winter holiday shutdown period as determined by Deputy Director of Operations.
7. Exempt employees report in half-day increments only regardless of the number of hours scheduled for that day.
8. In order to preserve FLSA exempt status, exempt employees record vacation and sick leave in LETS in half-day or full-day increments. Supervisors do not track vacation or sick leave hours that an exempt employee on an alternative work schedule takes in excess of 8 hours in a day.
9. Participation in other than a standard work week schedule by an employee in a matrix assignment requires the approval of his/her home supervisor and the matrix supervisor.

B. Standard Work Week

1. Definition
 - a. Full-time employees report 40 hours time, leave and/or effort over five of seven, eight-hour calendar days.
 - b. Part-time employees work the number of hours corresponding to their employment percentage over a five-day period. No day is regularly scheduled for more than eight hours.
2. Eligibility: All employees
3. Special Conditions: Non-exempt employees will be paid overtime for hours worked in excess of eight in any one day and 40 in a week.

C. Variable 5/40 Work Week

1. Definition

- a. Full-time employees report 40 hours time, leave and/or effort over five of seven calendar days, but may work more or less than eight hours in any one day. For the majority, the workdays will be Monday through Friday.

Example:	Monday	9 hours
	Tuesday	11 hours
	Wednesday	10 hours
	Thursday	5 hours
	<u>Friday</u>	<u>5 hours</u>
	Total	40 hours

- b. Part-time employees work the number of hours corresponding to their employment percentage over the five-day period, Monday through Friday although they do not necessarily work every day. They may work more or less than eight hours in a workday.

2. Eligibility: Full- and part-time employees

- 3. Special Conditions: Non-exempt LETS records will be adjusted to allow more than eight hours of straight time in one day.

- 4. Approval Authority: Division Director or OPS Department Head. In large divisions/departments the authority may be delegated down one level.

D. Alternate Work Schedules (4/10 and 9/80 Schedules)

1. 4/10 Work Schedule

- a. Definition: Employee works four ten-hour days in a calendar week.
- b. Eligibility: Full time employees only
- c. Special Conditions:
 - i. Day off may be any day, not limited to Fridays.
 - ii. Non-exempt LETS records will be adjusted to allow more than eight hours of straight time in one day.

2. 9/80 Work Schedule

- a. Definition: A rotating **two calendar week** schedule:
 - 1st week: Nine hours per day, Monday through Thursday, and eight hours on Friday;
 - 2nd week: Nine hours per day, for four days, and one day off.However, the two **work weeks** schedule for non-exempt employees is from mid-day Friday to mid-day Friday.
- b. Eligibility: Full time employees only. Not available for swing or owl shifts
- c. Special Conditions for non-exempt employees:
 - i. Official workweek will be from Friday noon to the next Friday noon.
 - ii. Non-exempt LETS records will be adjusted to allow more than eight hours of straight time in one day.
 - iii. Non-exempt employees will enter time in LETS in order to generate pay but work week schedule will be kept outside of LETS.
 - iv. Friday is the only day off for non-exempt employees.

E. Policies That Apply to All Non-Standard Work Week Schedules

1. Overtime: Non-exempt employees working non-standard work week schedules will not be paid overtime for more than eight hours in a day; only for more than 40 work hours in a work week.
2. Sick Leave and Vacation Leave
 - a. Non-exempt employees: When an employee is ill or takes vacation on a regularly scheduled day of more than eight hours, he/she will report all scheduled hours for the day as sick leave or vacation leave.
 - b. Exempt employees:
 - i. When an employee working a 4/10 schedule is ill or takes vacation for a full work week of five consecutive days (40 hours), he/she will report five sick or vacation leave days. When an employee working a 9/80 schedule is ill or takes vacation for a full workweek in which he/she would normally work 44 hours, he/she will report 5.5 sick or vacation leave days. When an employee working a 9/80 schedule is ill or takes vacation for a full work week in which he/she would normally work 36 hours, he/she will report 4.5 sick or vacation leave days.
 - ii. When an employee is ill or takes vacation on an isolated work day (i.e., less than a full work week as noted in E.2.b.i above) of any length, he/she will report one-half or one-full day as appropriate of sick leave or vacation leave.
3. Holidays
 - a. Non exempt employees
 - i. When a holiday falls on a regularly-scheduled work day of more than eight hours, the employee will report eight hours of holiday time, and the additional hour(s) as vacation or leave without pay.
 - ii. When a holiday falls on a regularly scheduled day off, the employee will be granted time off in the same workweek equivalent to the number of holiday hours (maximum of eight) that fall within the employee's workweek based on the employee's effort percentage. If the employee is granted the holiday hours on a regularly scheduled day of more than eight hours, the employee must use vacation leave or leave without pay for the additional hour(s). If time off is not granted, the hours attributable to the holiday are considered time worked for purposes of computing overtime pay.
 - b. Exempt employees
 - i. When a holiday falls on a work day of any length, the employee will report one-day of holiday time. See A.7 above.
 - ii. When a holiday falls on a regularly scheduled day off, the employee will receive an additional day off within the same pay period.
4. Jury Duty, Military Leave, or Travel and Training Attendance for Non-Exempt Employees on 4/10 or 9/80 Work Schedules
 - a. Non-exempt employees will report the actual time spent on jury duty or military leave and in related travel up to but not in excess of the number of hours regularly scheduled for the day(s) on which jury or military leave is taken (10, 9, or 8). Actual time spent in class and in related travel will be reported regardless of the number of hours. If this would result in fewer hours on pay status, a Temporary Schedule Change can be used to facilitate achieving the hours of the employee's work schedule.

5. Commitment: Six month period starting in March or September. The only change allowed between these dates is return to a standard work week (i.e., eight hours per day for five of seven days). Return to a standard work week may be at employee's request or supervisor's decision. A supervisor's decision to return an employee to a standard workweek is not subject to Complaint Resolution Policy in RPM 2.05. Date of return to standard work week will be at least two weeks after decision is made. All changes to a new schedule must be at the beginning of a bi-weekly pay period for non-exempt employees.
6. Approval Authority: Division Director or designee or OPS Department Head. In large divisions/departments the authority may be delegated down one level.

F. Temporary Schedule Changes

1. Temporary changes can be approved in start/stop times, assigned work days, and scheduled day off.
2. Employees on 9/80 schedules are not eligible for temporary changes to assigned work days, except that supervisors may require employees to work on their scheduled Friday off when required to meet operational needs of work unit. In those cases, non-exempt employees will be paid overtime.

G. Occasional Reschedule for Non-Exempt Employees

1. Personal Reschedule: With the prior approval of the supervisor, a non-exempt employee working a non-standard workweek may be permitted an absence of up to one-half day per workweek without the absence being charged to accrued leave, provided the employee makes up the time during the same workweek. For non-exempt employees assigned to a 9/80 Work Schedule, the time must be made up before midday on Friday.
2. Holiday Reschedule: With the prior approval of the supervisor, a non-exempt employee assigned to a 4/10 or 9/80 work schedule may be permitted to make up during the same workweek, the hours normally scheduled for the workday on which the holiday falls that exceed the eight paid holiday hours. For non-exempt employee assigned to a 9/80 Work Schedule, the time must be made up before midday on Friday.